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EXAMINER

ELAHEE, MD S

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

05/30/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/736,410	Applicant(s) GROSS ET AL.	
	Examiner MD S. ELAHEE	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 110-131 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 110-131 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/08/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 02/15/2008. Claims 110-131 are pending.

Response to Arguments

2. Applicant's arguments filed on 02/15/2008 Remarks have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on January 08, 2008 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

4. Claims 111-114, 121-124, 130 and 131 are objected to because of the following informalities: regarding claim 111, the phrase "A method" in line 1 should apparently be "The method". Claims 112-114, 121-124, 130 and 131 are objected for the same reasons as discussed above with respect to claim 111. Appropriate correction is required.
5. Claims 116-119 are objected to because of the following informalities: regarding claim 116, the phrase "A node" in line 1 should apparently be "The node". Claims 117-119 are

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objected for the same reasons as discussed above with respect to claim 116. Appropriate correction is required.

6. Claims 126-129 are objected to because of the following informalities: regarding claim 126, the phrase “A system” in line 1 should apparently be “The system”. Claims 127-129 are objected for the same reasons as discussed above with respect to claim 126. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

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claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 110-114 and 120-131 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (U.S. 4,930,152) in view of Levay et al. (U.S. 6,067,516).

Regarding claim 110, Miller teaches a method of providing voicemail services via a service node, the method comprising:

receiving a message from a system, the message being associated with a call that is transferred to the voicemail system from either a call processor within the service node or a switching system external to the service node (fig.2, label 212).

However, Miller does not specifically teach voicemail message. Levay teaches voicemail message (col.1, lines 27-30). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to incorporate voicemail message in order to store voice message for later retrieval.

prompting the user for a call back number, wherein the call back number is attached to the voicemail message for automatic call back initiated by a subscriber (fig.2, label 212, fig.3, label 301; col.5, lines 23-30).

transmitting the message to a device specified by a subscriber of the telecommunication services (fig.2, label 212).

However, Miller does not specifically teach generating textual information based on the received voicemail message and sending the textual information to a device. Levay teaches generating textual information based on the received voicemail message and sending the textual information to a device (abstract; fig.1, 3-7; col.2, lines 29-35, col.5, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to generate textual information based on the received voicemail message and sending the textual information to a device as taught by Levay. The motivation for the modification is to do so in order to send message to particular destination of different format.

Regarding claims 111, 121, 126, Miller does not specifically teach that the device includes one of a printer or a facsimile machine. Levay teaches that the device includes one of a printer or a facsimile machine (col.1, lines 15-19). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to incorporate the device including one of a printer or a facsimile machine as taught by Levay. The motivation for the modification is to do so in order to send message in the form of facsimile format.

Regarding claims 112, 122, 127, Miller does not specifically teach a document containing the textual information or media is generated and forwarded to the device. Levay teaches a document containing the textual information or media is generated and forwarded to the device (abstract; fig.1, 3-7; col.2, lines 29-35, col.5, lines 34-45). Thus, it would have been obvious to

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one of ordinary skill in the art at the time the invention was made to modify Miller to incorporate a document containing the textual information or media is generated and forwarded to the device as taught by Levay. The motivation for the modification is to do so in order to send notification message in the form of text format.

Regarding claims 113, 123, 128, Miller teaches that a personal identification number or a unique code is assigned to the user, the telecommunication user being one of a subscriber and or a non-subscriber to the services, wherein access to the telecommunication services is controlled based on the personal identification number or code (fig.2, label 203, fig.3, label 301).

Regarding claims 114, 124, 129, Miller teaches that the subscriber is identified based on the received personal identification number and retrieving a profile of the subscriber, wherein the textual information is sent to the device according to the profile (col.6, lines 35-47, col.7, lines 42-56).

Regarding claims 120 and 125, Miller teaches a method for providing voicemail services within a multi-service telecommunication platform, the method comprising:

receiving a call placed by a user to the telecommunication platform, the call being selectively transferred internally or externally from the telecommunication platform (fig.2, label 212).

recording a message from the user (fig.2, label 213; col.7, lines 1-5).

However, Miller does not specifically teach recording a voicemail message from the user. Levay teaches recording a voicemail message from the user (abstract; fig.1, 3-7; col.2, lines 29-35, col.5, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to record a voicemail message from the user as taught by Levay. The motivation for the modification is to do so in order to store voice message for later retrieval.

prompting the user for a call back number, wherein the call back number is attached to the voicemail message for automatic call back initiated by a subscriber (fig.2, label 212, fig.3, label 301; col.5, lines 23-30).

transmitting the message to a device specified by the user (fig.2, label 212).

Miller does not specifically teach transmitting the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to a device. Levay teaches transmitting the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to a device (abstract; fig.1, 3-7; col.2, lines 29-35, col.5, lines 34-45). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to transmit the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to a device as taught by Levay. The motivation for the modification is to do so in order to send message to particular destination of different format.

Regarding claim 130, Miller teaches presenting the non-subscriber with a guest menu specifying a plurality of options corresponding to the voicemail (fig.2, labels 211, 212).

Regarding claim 131, Miller teaches that the service node inherently stores a phone number of the voicemail system if the voicemail system is external to the service node.

11. Claims 115-119 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Levay et al. further in view of LaVallee et al. (U.S. 5,181,236).

Claim 115 is rejected for the same reasons as claim 110. Furthermore, Miller teaches a switching system configured to receive a call from a user (fig.6)

a call processor configured to provide a menu of options to the user, the options relating to the telecommunications services (fig.2, label 212).

Miller in view of Levay does not specifically teach an automated call distributor. LaVallee teaches an automated call distributor (fig.2, item 12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller in view of Levay to incorporate an automated call distributor in order to provide the status of call queue to a caller.

Claims 116-119 are rejected for the same reasons as claim 111-114.

12. Claim 110 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (U.S. 4,930,152) in view of Karnowski (U.S. 5,761,271).

Regarding claim 110, Miller teaches a method of providing voicemail services via a service node, the method comprising:

receiving a message from a system, the message being associated with a call that is transferred to the voicemail system from either a call processor within the service node or a switching system external to the service node (fig.2, label 212).

However, Miller does not specifically teach voicemail message. Karnowski teaches voicemail message (abstract; col.1, lines 52-56). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to incorporate voicemail message in order to store voice message for later retrieval.

prompting the user for a call back number, wherein the call back number is attached to the voicemail message for automatic call back initiated by a subscriber (fig.2, label 212, fig.3, label 301; col.5, lines 23-30).

transmitting the message to a device specified by a subscriber of the telecommunication services (fig.2, label 212).

However, Miller does not specifically teach generating textual information based on the received voicemail message and sending the textual information to a device. Karnowski teaches generating textual information based on the received voicemail message and sending the textual information to a device (abstract; col.1, lines 52-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to generate textual information based on the received voicemail message and sending the textual information to a device as taught by Karnowski. The motivation for the modification is to do so in order to send message to particular destination of different format.

13. Claims 110, 120 and 125 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (U.S. 4,930,152) in view of Bartholomew et al. (U.S. 6,215,858).

Regarding claim 110, Miller teaches a method of providing voicemail services via a service node, the method comprising:

receiving a message from a system, the message being associated with a call that is transferred to the voicemail system from either a call processor within the service node or a switching system external to the service node (fig.2, label 212).

However, Miller does not specifically teach voicemail message. Bartholomew teaches voicemail message (col.38, lines 35-43). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to incorporate voicemail message in order to store voice message for later retrieval.

prompting the user for a call back number, wherein the call back number is attached to the voicemail message for automatic call back initiated by a subscriber (fig.2, label 212, fig.3, label 301; col.5, lines 23-30).

transmitting the message to a device specified by a subscriber of the telecommunication services (fig.2, label 212).

However, Miller does not specifically teach generating textual information based on the received voicemail message and sending the textual information to a device. Bartholomew teaches generating textual information based on the received voicemail message and sending the textual information to a device (col.38, lines 35-43, 57-61). Thus, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify Miller to generate textual information based on the received voicemail message and sending the textual information to a device as taught by Bartholomew. The motivation for the modification is to do so in order to send message to particular destination of different format.

Regarding claims 120 and 125, Miller teaches a method for providing voicemail services within a multi-service telecommunication platform, the method comprising:

receiving a call placed by a user to the telecommunication platform, the call being selectively transferred internally or externally from the telecommunication platform (fig.2, label 212).

recording a message from the user (fig.2, label 213; col.7, lines 1-5).

However, Miller does not specifically teach recording a voicemail message from the user. Bartholomew teaches recording a voicemail message from the user (col.38, lines 35-43). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to record a voicemail message from the user as taught by Bartholomew. The motivation for the modification is to do so in order to store voice message for later retrieval.

prompting the user for a call back number, wherein the call back number is attached to the voicemail message for automatic call back initiated by a subscriber (fig.2, label 212, fig.3, label 301; col.5, lines 23-30).

transmitting the message to a device specified by the user (fig.2, label 212).

Miller does not specifically teach transmitting the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to

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a device. Bartholomew teaches transmitting the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to a device (col.38, lines 35-43, 57-61). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller to transmit the voicemail message to a speech processor for conversion of the voicemail message to a different media, wherein the media is forwarded to a device as taught by Bartholomew. The motivation for the modification is to do so in order to send message to particular destination of different format.

14. Claim 115 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Bartholomew et al. further in view of LaVallee et al. (U.S. 5,181,236).

Claim 115 is rejected for the same reasons as claim 110. Furthermore, Miller teaches a switching system configured to receive a call from a user (fig.6)

a call processor configured to provide a menu of options to the user, the options relating to the telecommunications services (fig.2, label 212).

Miller in view of Bartholomew does not specifically teach an automated call distributor. LaVallee teaches an automated call distributor (fig.2, item 12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Miller in view of Bartholomew to incorporate an automated call distributor in order to provide the status of call queue to a caller.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MD S. ELAHEE whose telephone number is (571)272-7536. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MD S ELAHEE/
MD SHAFIUL ALAM ELAHEE
Examiner
Art Unit 2614
May 28, 2008